

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAVIER ESTRADA,
on behalf of himself,
FLSA Collective Plaintiffs and the Class,

Plaintiffs,

-against-

Case No. 17-CV-9890 (NSR) (LMS)

KINGSBRIDGE MARKETPLACE CORP.
d/b/a FOODTOWN,
VERNON MARKETPLACE, INC.,
d/b/a FOODTOWN,
and ESMail MOBARAK,

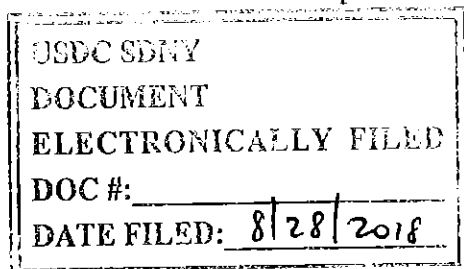
ORDER TO SHOW CAUSE FOR
PRELIMINARY INJUNCTION

Defendants.

Upon the affidavit of C.K. Lee, Esq., sworn to the 27th day of August, 2018, and upon the
the complaint (*see* Dkt No. 1), it is

ORDERED, that the above named defendants show cause before a motion term of this
Court, at Room 218, United States Courthouse, 300 Quarropas Street, in the City of White
Plains, County of Westchester, and State of New York, on Tuesday, September 4th, 2018, at 11
o'clock in the forenoon thereof, or as soon thereafter as counsel may be heard, why an order
should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the
defendant during the pendency of this action from:

- a. Availing of the arbitration agreement distributed to employees by Defendants with
respect to any current or former employee subject thereto, in this lawsuit, or in any
other proceeding; and, in addition, ordering the following relief:
- b. Distribution of a corrective notice, or in the alternative, authorizing Plaintiffs to issue
a Court-approved corrective notice, at Defendants' expense, and requiring Defendants
to post such notice in conspicuous locations within their stores; and



- c. Directing Defendants to provide Plaintiffs with all materials sent to, or received from, putative Class members in relation to the Agreement; and
- d. Awarding reasonable attorney's fees and costs incurred in litigation over the Arbitration Agreement to Plaintiffs; and
- e. Formally reprimanding Defendants and Defendants' counsel and
- f. All other relief this Court deems necessary or appropriate; and it is further

~~ORDERED~~ that, sufficient reason having been shown therefor, pending the hearing of plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the defendant is temporarily restrained and enjoined from

and it is further

~~ORDERED~~ that security in the amount of \$ _____ be posted by plaintiff prior to _____ at _____ o'clock in the _____ noon of that day; and it is further

ORDERED that personal service of a copy of this order and annexed affidavit upon the defendant or ^{their} ~~his~~ counsel on or before 5:00 o'clock in the after noon,

on Aug. 28, 2018, shall be deemed good and sufficient service

thereof. Defendants opposition shall be served upon Plaintiffs' counsel and filed with the Court by 3:00pm on Aug. 30, 2018. Two (2) DATED: White Plains, New York courtesy copies of all documents shall be provided to the Court by 5:00pm on Aug. 30, 2018. ISSUED: Aug. 28, 2018 SO ORDERED.

NRM
Hon. Nelson S. Roman, U.S.D.J.